

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Martha Jane Toy, individually, and as Executrix and Personal)
Representative of the Estate of Russell B. Toy, deceased,)
)
Plaintiffs,)
)
v.) C.A. No. 05-cv-1814
Plumbers & Pipefitters Local Union No. 74 Pension Plan,)
Trustees of Plumbers & Pipefitters Local Union No. 74)
Pension Plan, Health and Welfare Plan, Local 74, Welfare)
Benefit Plan, Life Insurance Plan, Local 74, Welfare Benefit)
Plan, Life Insurance Plan, Local 74, Insurance Plan,)
Administrators of Pension and Welfare Plans, Trustees of)
Plumbers & Pipefitters Local Union No. 74 Welfare Plan, Plan)
Administrator of Pension & Welfare Plans, Insurance Plans,)
and Health and Welfare Benefit Plan,)
)
Defendants.)

**DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY BRIEF
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS OR TRANSFER**

Defendants Plumbers & Pipefitters Local Union No. 74, *et al.*, by and through their undersigned attorneys and pursuant to the Honorable Berle M. Schiller's Policies and Procedures for Civil Cases, hereby move the Court for leave to file a reply brief in support of Defendants' Motion to Dismiss the Complaint for Failure to State a Claim and Improper Venue, or, in the alternative, to Transfer the Action to the District of Delaware. The grounds for this motion are set forth more fully in the accompanying brief filed herewith.

WHEREFORE, Defendants respectfully request that the Court enter the attached order granting leave to file a reply in support of Defendants' motion to dismiss or transfer.

YOUNG, CONAWAY, STARGATT & TAYLOR, LLP

s/ Timothy J. Snyder
Timothy J. Snyder, Esquire (#35059)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Telephone 302-571-6600

CO-COUNSEL:
Jennings Sigmond, P.C.
Richard B. Sigmond, Esq. (#02574)
The Penn Mutual Towers, 16th Floor
510 Walnut Street
Philadelphia, PA 19106-3683
215-922-3524

Attorneys for Defendants

Dated: July 19, 2005